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 SIMMONS BEDDING COMPANY
 and Defendnat and Counterclaimant
 DREAMWELL, LTD.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

ZINUS, INC., a California corporation,
 Plaintiff,
 v.

SIMMONS BEDDING COMPANY, a
 Delaware corporation, and DREAMWELL,
 LTD., a limited liability company of
 Nevada,
 Defendants.

DREAMWELL, LTD., a limited liability
 company of Nevada,
 Counterclaimant,
 v.

ZINUS, INC., a California corporation,
 Counterclaim Defendant.

Case No.: 07-CV-03012 PVT

**NOTICE OF NEED FOR ADR
 PHONE CONFERENCE [ADR L.R. 3-5]**

The Honorable Patricia V. Trumbull

Counsel report that they have met and conferred regarding ADR and that they have not yet reached an agreement to an ADR process. The date of the Initial Case Management Conference is September 18, 2007. The following counsel will participate in the ADR phone

conference:

<u>Name</u>	<u>Party Representing</u>	<u>Phone No.</u>	<u>E-Mail Address</u>
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Dated: August 27, 2007

By: /s/ Darien K. Wallace
 IMPERIUM PATENT WORKS
 Attorneys for plaintiff and counterclaim
 defendant ZINUS, INC.

PERKINS COIE LLP

Dated: August 27, 2007

By: /s/ Kenneth B. Wilson
 Kenneth B. Wilson
 Attorneys for defendant SIMMONS
 BEDDING COMPANY and defendant
 and counterclaimant DREAMWELL, LTD.

ATTESTATION OF CONCURRENCE IN FILING

The undersigned declares that concurrence in the filing of this document has been obtained from Kenneth B. Wilson.

Dated: August 27, 2007

By: /s/ Darien K. Wallace
 IMPERIUM PATENT WORKS
 Attorneys for plaintiff and counterclaim
 defendant ZINUS, INC.